



City of Salisbury
Volunteer Criminal Background Screening Policy

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Purpose of the Volunteer Criminal Background Screening Policy

The City of Salisbury will establish a citywide policy and procedural manual for the implementation of a Volunteer Criminal Background screening program for citizens who would like to participate in city funded or city managed activities or programs as a volunteer. The policy will be utilized as a tool to determine if the individual offering to volunteer their time and efforts is the appropriate individual to work with our youth and other citizens in this capacity.

The policy will be utilized to screen all volunteer positions that have direct contact with youth and/or any vulnerable adults whereby the individual volunteer may not be supervised by a city employee. If the volunteer is under direct supervision by a city employee and the length of service is limited to less than two weeks or less than 80 hours of total service, then the criminal background screening will not be necessary. It will be the responsibility of the direct supervisor of the program and/or event to ensure that all volunteers that fall within the guidelines of the policy have had a criminal background screening and have received confirmation of passing the test/screening. Council appointed boards, committees and commissions and elected officials will not be subjected to the criminal background screening.

The screening process will begin with each potential volunteer being advised that the criminal background screening will be completed. Copies of the policy, guidelines, criteria for disqualification and appeals process should be given to the individual for their review prior to submittal for the screening.

Guidelines for Volunteer Criminal Background Screening

The following volunteer guidelines have been recommended by the National Recreation and Park Association in the implementation of a Criminal Background Screening policy.

- 1) Social Security Verification: each potential volunteers name should be verified by the social security number that they provide. Verifying the social security number for the individual is the critical first step to obtaining accurate information, including the name provided and data such as the year and state that the SSN was issued and previous addresses.
- 2) Address Trace: the current address of any potential volunteer should be verified and any previous addresses should also be determined. The verification of addresses is critical to determine what local searches should be completed.
- 3) State or County Criminal Record Check: a statewide and/or countywide criminal records check should be conducted to examine any misdemeanors and/or felony convictions within that jurisdiction. This “local” search should be conducted in the jurisdiction with the longest and most current residency.
- 4) National Criminal History Data Base Search: National record checks should be utilized to supplement the local criminal history search and vice versa. Both the local and national search should be conducted and in no case should one or the other be the only search completed.
- 5) Sex Offender Registry: Appropriate state sex offender registries should be included in the background screening process. All states that the potential volunteer resided in should be included in this search.
- 6) Timely Results: The Criminal Background screening process should be conducted in a timely manner and results should be forwarded to the appropriate city personnel within 10 businesses days on average to allow for proper planning and notification to each potential volunteer.
- 7) Complimentary Consultation: the company that the City utilizes to conduct Criminal Background screenings should provide consultation to clarify screening results

Each potential volunteer will be required to complete a Volunteer Application form (Salisbury Parks and Recreation Department Volunteer Application: Attachment #1). The application should include the following:

- 1) Name of Volunteer applicant
- 2) Current Address & number of years at that address
- 3) Previous Addresses & number of years at each
- 4) Social Security number
- 5) Driver's License number

Other qualifying question may be included, specific to the type of department or volunteer service. A statement that a criminal background check will be conducted prior to any volunteer service should be included on the application form in a prominent location.

In addition, a consent form to conduct the criminal background check should be signed and dated by the potential volunteer and attached to the application form. The consent form will state the specific details as to what will be researched in the criminal background screening process (Draft Consent form: Attachment #2).

The City of Salisbury will also establish a Confidentiality policy that states the respect for the privacy of the individual and outlines how the information from the criminal background screening will not be disseminated to any others outside of the organization unless required by law. The results of the criminal background screening will be received by the City of Salisbury Human Resources department and stored in their files. The department or employee who submitted the application on behalf of the potential volunteer will only receive a "Pass" or "Fail" notification from the Human Resources department. The Human Resources department should provide the disqualifying volunteer applicant with the following documents:

- 1) Letter of disqualification
- 2) Copy of the actual screening report/results
- 3) Fair Credit Reporting Act – Summary of Rights (Attachment #3)

Criteria for Disqualifying a Volunteer

Any potential volunteer shall be disqualified and prohibited from participating as a volunteer in any city funded or city managed activities or programs as a volunteer if the person has been found guilty* of any one (1) of the following crimes:

*Guilty is defined as: being found guilty following a trial, entering a guilty plea, entering a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt.

- **Sex Offenses**
 - **Any/All Sex Offenses (lifetime ban)**
 - Regardless of the amount of time since the offense
- **Felonies**
 - **Any/All Felonies involving violence (lifetime ban)**
 - Regardless of the amount of time since the offense
- **Drug Distribution Offenses (lifetime ban)**
 - **Any/All drug distribution Offenses**
 - Regardless of the amount of time since the offense
- **Any/All Felony offenses** other than those previously listed (Sex, Violence & Drug Distribution) **within the previous 10 years**
- **Misdemeanors**
 - **Any/All misdemeanors involving violence within the past 7 years**
 - **Any/All misdemeanors involving drugs & alcohol within the past 5 years or multiple offenses in the past 10 years**
 - Any other misdemeanor within the past 5 years that would be considered a potential danger to children or other vulnerable citizen or is directly related to the responsibilities of that volunteer position.
 - Examples include: contributing to the delinquency of a minor, providing alcohol to a minor, theft (particularly if the volunteer is handling or near money), etc.

If the potential volunteer has any pending cases in court or has been charged for any of the disqualifying offenses, they will not be allowed to volunteer their services until the case has been resolved and a verdict determined. If the case ends in an acquittal, Nolle Prose, or is dismissed, then the individual may be considered for volunteer service.

Appeals Process

If an individual is disqualified from volunteering their services, based on the above criteria, and they dispute the accuracy of the information provided in the Background Screening, they may

address their concerns with the investigative agency that provided the information. The City of Salisbury is not involved in the investigation and research of criminal records and is not responsible for the accuracy of the background reports. If the individual can provide a written copy of a correction to the report, that the investigative agency has approved, then the City will allow the individual to appeal the decision.

The appeals process begins with a written request from the volunteer, which must be submitted within (30) days of notification of disqualification to the City of Salisbury Human Resources department. A panel will review the written appeal and the disputed information and schedule an appeal hearing with the individual. The panel will make a decision based on factual information provided during the hearing. The volunteer applicant will receive a written notification from the Human Resources department of the decision, including decisions made in favor of the applicant or denial to overturn the disqualification. Once the decision has been made and the applicant notified, no additional appeal hearings will be conducted.

Contents of this policy or process are subject to change based on current and future laws. The City of Salisbury reserves the right to make changes to the Volunteer Criminal Background Screening policy when necessary to ensure the safety and protection of all youth and vulnerable adults who are involved or participating in city funded or city managed activities or programs.



Mission Statement:

To provide quality leisure services through safe, attractive, maintained parks, cemeteries, landscapes and diversified programs that meet the current and future needs of the community...along with our continued commitment of providing excellent customer service.

COACH/INSTRUCTOR VOLUNTEER APPLICATION

Salisbury Parks and Recreation will conduct a Criminal Background Screening on each volunteer and independent contracted instructor annually.

Name: _____

Current Address: _____ City/St/Zip: _____

Previous Address (1): _____ City/St/Zip: _____

Previous Address (2): _____ City/St/Zip: _____

- List any additional addresses within the last five years on the back of this form!

Home Phone: _____ Cell Phone: _____

Work Phone: _____ Email Address: _____

Social Security #: _____ Driver's License #: _____

Have you ever been convicted of a felony crime? YES NO

Are you a new Contracted Instructor for Salisbury Parks and Recreation (circle one)? YES NO

Are you a new Volunteer Coach for Salisbury Parks and Recreation (circle one)? YES NO

Are you NYSA certified through Salisbury Parks and Recreation (circle one)? YES NO

Coaching Experience (# of years): _____ Instructional Experience (# of years): _____

Character References:

Name: _____ Phone: _____

Name: _____ Phone: _____

Coaching or Instructor Experience (please explain and provide any certifications you currently have):

Reasons for desire to coach or instruct parks and recreation programs:

Statement of Philosophy towards Youth Sports:

Shirt Size – For Coaches Only (please circle one): S M L XL XXL

If accepted, I agree to attend all meetings and workshops scheduled by Salisbury Parks and Recreation.

I understand that failure to conduct myself in a professional and sportsmanlike manner will result in my dismissal from class instruction, leagues and/or coaching.

If accepted for a coaching position (either head or assistant), I hereby agree to abide by the rules and regulations set forth by Salisbury Parks and Recreation and the decisions by the Staff.

Applicant Signature: _____ Application Date: _____

OFFICE USE ONLY:

Approved By: _____ Date: _____

Updated: July 2014



The City of Salisbury
Volunteer Criminal Background Screening
Consent/Release Form

Organization/Department Name: _____

Applicant's Name (please print): _____

Applicant's Address: _____

City _____ State _____ Zip _____

Social Security Number: _____

Date of Birth: _____

I, _____, authorize and give consent for the City of Salisbury to obtain information regarding myself through a criminal background screening. This information will include the following:

- Criminal background records/information
- Search of Sex Offender Registries
- Address verification (current and previous)
- Social Security verification

I the undersigned, authorize this information to be obtained either in writing or via telephone in connection with my application. Any person, firm or organization providing information or records in accordance with this authorization is released from any and all claims of liability for compliance. Such information will be held in confidence in accordance with the organization's guidelines.

Applicant's Name: _____ Date: _____
(Please Print)

Applicant's Signature: _____

Para informacion en espanol, visite www.ftc.gov/credit o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identify theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.ftc.gov/credit.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Board Division of Consumer & Community Affairs Washington, DC 20551 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation, Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051